

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: APPLICATION OF EVISON
HOLDINGS LIMITED

No. 20 MC 246-LTS

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ORDER

The Court has received applicant Evison Holdings Limited's ("Evison") motion for discovery filed pursuant to 28 U.S.C. § 1782 (Docket Entry No. 1), as well as Evison's memorandum of law in support of that motion (Docket Entry No. 4), the declarations of Howard M. Rogatnick (Docket Entry No. 2, the "Rogatnick Declaration") and Dmitry Savochkin (Docket Entry No. 3), Evison's supplemental memorandum of law (Docket Entry No. 11), and the supplemental declaration of Dmitry Savochkin (Docket Entry No. 10). The Court has subject matter jurisdiction of this action pursuant to Section 1782. The Court has carefully reviewed Evison's submissions and, for good cause shown, it is hereby ordered that Evison's motion for discovery is granted.

Evison may proceed to serve subpoenas that are substantially similar to the subpoenas attached as Exhibits 1 and 2 to the Rogatnick Declaration (the "Subpoenas") on BrokerCreditService Cyprus, Ltd. and BrokerCreditService Americas, Inc. (together, "BCS"). Together with the Subpoenas, Evison shall serve copies of its submissions in this Court (Docket Entry Nos. 1-4, 10-11), as well as of this Order and the Court's Order dated July 16, 2020. (Docket Entry No. 7.)

Discovery conducted pursuant to this Order shall be governed by the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Southern District of New York.

The Court notes that Evison's application was presented ex parte without an opportunity for BCS to respond. Should BCS wish to challenge the Subpoenas, it should file a timely motion to quash in this matter. This Order is without prejudice to any such motion.

The Court shall retain jurisdiction over this matter for the purpose of enforcing this Order and considering any application for relief by Evison, BCS, or any other interested party.

Docket Entry No. 1 is resolved.

SO ORDERED.

Dated: New York, New York
August 5, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge